

### **REMARKS**

This Amendment, submitted in response to the non-final Office Action dated March 11, 2009, is believed to be fully responsive to the points of rejection raised therein. Accordingly, entry of the Amendment and favorable reconsideration on the merits is respectfully requested.

As a preliminary matter, Applicants wish to thank the Examiner for making the office action non-final, to afford Applicants the opportunity to address the new grounds of rejection.

Claims 19, 21-26, 28, 29, and 31-35 are pending in this application. Claims 19, 21, 22, 23, 25, 28, 31, 32 and 34 are amended above. Claims 1-18, 20, 27, 30 and 36 were previously cancelled. No new matter has been added.

Claims 21, 22 and 25 have been rejected under 35 USC 102(b) over U.S. Patent Number 6,546,734 (Antoine). Claims 19, 24 and 26 have been rejected under 35 USC 103(a) over Antoine. Claims 28, 29, 31 and 33-35 have been rejected under 35 USC 103(a) over Antoine, in view of US 3,735,593 (Howell). Claims 23 and 32 have been allowed. Applicants respectfully submit the following remarks in support of the patentability of the present claims.

#### **1. Claims 21, 22 and 25:**

Claims 21, 22 and 25 have been rejected under 35 USC 102(b) over U.S. Patent Number 6,546,734 (hereinafter "Antoine"). Independent Claims 21, 22 and 25 are amended above to clarify that the fluid duct is configured such that air flows from the first end, through the body, and is injected aft of the fan rotor from the second end of the fluid duct. No new matter has been added, and support for the amendment can be found, for example, in paragraph [0017] and FIG. 6 of the present application.

In rejecting Claims 21, 22 and 25, the Examiner points to duct 13 in Antoine to supply the fluid duct recitation of Claims 21, 22 and 25. However, the duct 13 of Antoine

supplies the collector 8 with compressed air bled from the primary flow, such that when the engine is running, air jets 14 are injected through the orifices 11 into the duct 3 **upstream of the fan blades 3**. (Col. 3, lines 10-15). Thus, duct 13 does not supply the above cited fluid duct recitation of the present claims 21, 22 and 25. Accordingly, Claims 21, 22 and 25 are not anticipated by Antoine, and Applicants respectfully request that the rejections of Claims 21, 22 and 25 under 35 USC 102(b) be withdrawn.

**2. Claims 19, 24 and 26:**

Claims 19, 24 and 26 have been rejected under 35 USC 103(a) over Antoine. Independent Claim 19 is amended above to clarify that the fluid duct is configured such that air flows from the first end, through the body, and is injected aft of the fan rotor from the second end of the fluid duct. No new matter has been added, and support for the amendment can be found, for example, in paragraph [0017] and FIG. 6 of the present application. Claims 24 and 26 depend from Claim 19.

In rejecting Claims 19, 24, and 26, the Examiner points to duct 13 in Antoine to supply the fluid duct recitation of Claim 19. However and as discussed above, the duct 13 of Antoine supplies the collector 8 with compressed air bled from the primary flow, such that when the engine is running, air jets 14 are injected through the orifices 11 into the duct 3 **upstream of the fan blades 3**. (Col. 3, lines 10-15). Thus, duct 13 does not supply the above cited fluid duct recitation of the present claim 19.

Thus, Claim 19 is patentably distinguishable from Antoine. In addition, claims 24 and 26 are patentably distinguishable from Antoine by virtue of their dependency from Claim 19. Accordingly, Applicants respectfully request that the rejections of Claims 19, 24 and 26 under 35 USC 103(a) be withdrawn.

**3. Claims 28, 29, 31 and 33-35:**

Claims 28, 29, 31 and 33-35 have been rejected under 35 USC 103(a) over Antoine, in view of US 3,735,593 (Howell). Independent Claim 28 is amended above to clarify that the fluid duct is configured such that air flows from the first end, through the

body, and is injected aft of the fan rotor from the second end of the fluid duct. No new matter has been added, and support for the amendment can be found, for example, in paragraph [0017] and FIG. 6 of the present application. Claims 29, 33 and 35 depend from Claim 28.

Accordingly, Applicants respectfully submit that Claims 28, 29, 33 and 35 are patentably distinguishable from Antoine for at least the reasons discussed above with reference to Claims 19, 21, 22 and 25. The Examiner cites Howell to supply the acoustic liner recitation. However, as discussed in Applicants' Response dated October 1, 2009, passage 13 in FIG. 1 of Howell has an annular inlet 14, which is positioned in the radially inner surface of the casing 3 adjacent the tips 1b of the fan rotor blades 1. (Col. 2, lines 14-17). As is clear from FIG. 1, the larger opening of passage 13 is disposed downstream of the rotor blades, as indicated by the arrow A. (Col. 2, lines 7-8.) Thus, the passage 13 of Howell cannot supply the fluid duct recitation of claim 28, as claim 28 recites that the fluid duct has a first end with a slot therein opening to the inlet fan duct outer wall, a body, and a second end with a slot therein opening to aft of a fan rotor, *the slot in the first end being disposed upstream of the fan rotor*. (Emphasis added.)

In view of the above, Applicants respectfully submit that Claims 28, 29, 33 and 35 are patentably distinguishable over Antoine and Howell and respectfully request that the rejections of Claims 28, 29, 33 and 35 under 35 USC 103(a) be withdrawn.

Independent claims 31 and 34 are similarly amended, and Applicants submit that Claims 31 and 34 are patentably distinguishable over the cited art for reasons analogous to those discussed above with reference to Claim 28. Accordingly, Applicants respectfully request that the rejections of Claims 31 and 34 under 35 USC 103(a) be withdrawn.

#### **4. Claims 23 and 32:**

Claims 23 and 32 have been allowed. Claim 32 is amended above to correct an informality. No new matter has been added.

In view of the above, all of the pending claims, namely claims 19, 21-26, 28, 29, and 31-35, are believed to be in condition for allowance.

**CONCLUSION**

In view of the foregoing, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are respectfully requested.

Should the Examiner believe that anything further is needed to place the application in even better condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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